

DEPARTMENT OF CONSUMER AFFAIRS
COURT REPORTERS BOARD OF CALIFORNIA
MINUTES OF THE OPEN SESSION
December 13, 2003

CALL TO ORDER

Ms. Julie Peak, Chair, called the meeting to order at 1 p.m. at the Sheraton Gateway Hotel at the Los Angeles Airport.

ROLL CALL

Board Members Present:

Julie Peak, Chair, CSR
Karen Gotelli, Vice Chair, Public Member
Gary Cramer, CSR
John Hisserich, Public Member

Board Members Absent:

Alfred Knoll, Public Member

Staff Present:

David E. Brown, Executive Officer
Norine Marks, Staff Legal Counsel
Gail Jones, Enforcement Coordinator
Karen Ollinger, Special Projects

RECESS TO CLOSED SESSION

The Board recessed to closed session at 1:02 p.m.

RECONVENED

The Board reconvened to open session at 1:15 p.m.

LEGISLATION

Mr. David Brown stated that a group of representatives from various professional associations, including the California Court Reporters Association (CCRA); California Official Court Reporters Association (COCRA); Deposition Reporters Association (DRA); and himself met to develop "concepts" for obtaining alternative methods to expedite CSR licensure. The group started with initial ideas or strategies, which were then grouped into three different areas: 1) Out-of-state working reporters; 2) Allow students into the exam earlier and 3) temporary licensure under specified conditions. Comments were taken by the public after each proposed concept.

- **To Allow Reduced Examination Requirements for Reporters Licensed in Other States.**

Mr. David Brown stated this proposal would allow out-of-state working reporters who passed a state licensing exam that is similar to California to only take the Professional Practice portion of the examination. If the candidate passed the Professional Practice written examination, the candidate would then qualify for a California license. Mr. Gary Cramer expressed his concern that potential examinees may search for the easiest licensing exam in another state, pass that exam, and then come back to California and pass the Professional Practice exam, which would be their only requirement. Mr. Cramer stated the Board would be turning over licensure to other states. He also stated it would be nearly impossible to insure that another state examination is "similar" to California. After a brief discussion, no motion was made by the Board on this proposal.

- To Allow Reduced Examination Requirements for Holders of a RPR.

Mr. Brown stated this proposal would grant working reporters who have a RPR certificate, a provisional/temporary license for (up to) two years to practice in California while they are taking the CSR examination. Mr. Cramer expressed concern over the Board allowing an individual to work in California with a temporary license whom then fails to pass the state entry level exam. The Board currently allows examinees to qualify for the state exam with a RPR and a percentage of them cannot pass the Board's exam. Mr. Cramer suggested that a more reasonable proposal would be to allow an examinee that has passed the National Court Reporters Association's Merit examination, which is read at 260 wpm. After taking comments from the public, no motion was made by the Board on this proposal.

- To Allow an Early Examination for Students Who Have Completed the Academic Component of Schooling.

Mr. Brown stated under this proposal, a school would certify that the student had completed academics and reached a certain machine speed level. The student would then be allowed to sit for the English and Professional Practice portions of the exam. The student would still have up to three years to complete the dictation exam for licensure. After a brief comment period, Mr. Cramer made a motion to refer this issue back to staff for a more refined proposal to be discussed at the next board meeting. Ms. Karen Gotelli seconded the motion; **MOTION CARRIED.**

- To Allow the Issuance of a Temporary License.

Mr. Brown stated this proposal would allow examinees that have previously passed the dictation portion of the exam, to receive a temporary license issued at the exam site if the examinee passes the remaining written portions. The written exams would be manually graded at the exam site. The temporary license would be for a limited duration to allow for the issuance of a permanent license. Mr. Brown Stated the Board does not currently have the authority to issue a temporary license. Mr. Cramer stated the intent of the Board is to only allow a temporary license to be issued to those examinees that have successfully completed all three portions of the examination. Mr. Cramer also stated the word "temporary" should be changed to a more appropriate word, such as "interim" or "provisional". After a brief discussion, Mr. Cramer made a motion for staff to seek legislative change to allow the issuance of a temporary license or an interim permit for those who have passed all three portions of the exam. Mr. John Hisserich seconded the motion; **MOTION CARRIED.**

- Modify Board Complaint Disclosure Requirements.

Mr. Brown stated under current statute, the Board is only allowed to disclose a complaint when an accusation is filed with the Attorney Generals Office. The Department of Consumer Affairs has established a minimum standard of providing information to consumers about licensee complaints. These standards would also clarify the distinctions between the release of substantiated/unsubstantiated complaints and the release of personal information. After further discussion, Mr. Cramer made a motion to table this issue. Mr. Hisserich seconded the motion; **MOTION CARRIED.** Ms. Peak directed staff to clarify the words "substantiated/unsubstantiated".

- Clarify Licensee Requirements to Notify Board of Convictions.

Mr. Brown stated staff has drafted clean-up language to modify existing conviction disclosure statutes. Under Business and Professions Code 8024 and 8024.2, licensees are allowed to determine if a misdemeanor is substantially related to the functions and duties of a court reporter and whether it should be reported to the Board. Staff is recommending to change to current language for licensees to report any misdemeanor and the Board would determine if it is substantially related to the duties of a court reporter. Mr. Hisserich made a motion to clarify the licensee requirements to notify the Board of convictions. Ms. Gotelli seconded the motion; **MOTION CARRIED.**

- Modify Language for Collection of License Fees to Allow Issuance of Temporary License.

(This issue was discussed previously under, "Issuance of a Temporary License".)

- Clarify Student Disclosure Requirements by Schools.

Mr. Brown stated the proposed language change would make it mandatory for all schools to have a signed student disclosure statement in the student's file. Ms. Peak stated this would only be a technical clean-up. Mr. Hisserich made a motion to clarify the student disclosure requirements by schools. Ms. Gotelli seconded the motion; **MOTION CARRIED.**

- Clarify/Modify School Qualifier Examination Requirements.

Ms. Peak stated this item was tabled for the next meeting.

- Clarify Language Relating to Transcript Delivery and Word Count.

Mr. Cramer stated the proposed change to Government Code Section 69950(b) would require an official court reporter to make available for purchase a copy of an original transcript for a period of 120 days from the time the original transcript was filed or delivered. After the 120 days, the court reporter would be allowed to charge the amount of an original. The proposed language is as follows:

(b) The fee for a first copy to any court, party, or other person who does not simultaneously purchase the original transcript, but purchases a copy within 120 days of the filing or delivery of the original transcript, shall be twenty cents (\$0.20) for each 100 words, and for each additional copy, purchased at the same time, fifteen cents (\$0.15) for each 100 words.

After comments from the public, Mr. Cramer made a motion to clarify Government Code Section 69950(b) as indicated above. Mr. Hisserich seconded the motion; **MOTION CARRIED.**

Mr. Cramer stated the second proposed change to Government Code Section 69950 would clarify what constitutes a word for the purpose of the Board reviewing CSR complaints. The proposed language is as follows:

(c) For purposes of this section, a word shall be defined as a printed character or combination of characters representing a spoken word. In addition, each line number, each page number, and each "Q." and "A." that designates a question and answer shall be counted as words. The Court Reporters Board of California shall utilize this method of counting words when receiving complaints under subsection a) above regarding overbilling for fees for transcripts.

Ms. Peak stated this section would be used by staff when investigating a complaint against an official court reporter regarding overbilling. After further discussion, Mr. Cramer made a motion to adopt the proposed language as indicated above. The new language would also include an exemption based on court agreements with officials. Mr. Hisserich seconded the motion; **MOTION CARRIED.**

ADJOURN

Ms. Peak adjourned the meeting at 3:15 p.m.

JULIE PEAK, Chair

DATE

DAVID E. BROWN, Executive Officer

DATE